

**DENTISTRY EXAMINING BOARD
MEETING MINUTES
January 6, 2016**

PRESENT: Debra Beres, RDH; Mark Braden, DDS; Eileen Donohoo, RDH; Leonardo Huck, DDS; Lyndsay Knoell, DDS; Wendy Pietz, DDS; Carrie Stempski, RDH

EXCUSED: Timothy McConville, DDS; Beth Welter, DDS

STAFF: Brittany Lewin, Executive Director; Sharon Henes, Rules Coordinator; Nifty Lynn Dio, Bureau Assistant

CALL TO ORDER

Lyndsay Knoell, Chair, called the meeting to order at 8:30 a.m. A quorum of seven (7) members was confirmed.

ADOPTION OF AGENDA

MOTION: Eileen Donohoo moved, seconded by Wendy Pietz, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Mark Braden moved, seconded by Debra Beres, to approve the minutes of November 4, 2015 as published. Motion carried unanimously.

ELECTION OF OFFICERS

BOARD CHAIR

NOMINATION: Mark Braden nominated Lyndsay Knoell for the Office of Board Chair.

Brittany Lewin called for nominations three (3) times.

Lyndsay Knoell was elected as Chair by unanimous consent.

VICE CHAIR

NOMINATION: Lyndsay Knoell nominated Mark Braden for the Office of Vice Chair.

Brittany Lewin called for nominations three (3) times.

Mark Braden was elected as Vice Chair by unanimous consent.

SECRETARY

NOMINATION: Lyndsay Knoell nominated Debra Beres for the Office of Secretary.

Brittany Lewin called for nominations three (3) times.

Debra Beres was elected as Secretary by unanimous consent.

2016 ELECTION RESULTS	
Board Chair	Lyndsay Knoell
Vice Chair	Mark Braden
Secretary	Debra Beres

LIAISON APPOINTMENTS

2016 LIAISON APPOINTMENTS	
Practice Questions Liaisons	Board Officers
Screening Panel Members	Lyndsay Knoell, Debra Beres
DLSC & Monitoring Liaison	Mark Braden
Credentialing Liaisons	Debra Beres, Wendy Pietz
Office of Education and Exams Liaison	Eileen Donohoo
Legislative Liaison	Mark Braden
Travel Liaison	Lyndsay Knoell
PDMP Liaison	Wendy Pietz

MOTION: Debra Beres moved, seconded by Wendy Pietz, to affirm the Chair's appointment of liaisons for 2016. Motion carried unanimously.

DELEGATION MOTIONS

Delegated Authority for Urgent Matters

MOTION: Eileen Donohoo moved, seconded by Debra Beres, that, in order to facilitate the completion of assignments between meetings, the Board delegates its authority by order of succession to the Chair, highest ranking officer, or longest serving member of the Board, to appoint liaisons to the Department to act in urgent matters, make appointments to vacant liaison, panel and committee positions, and to act when knowledge or experience in the profession is required to carry out the duties of the Board in accordance with the law. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: Eileen Donohoo moved, seconded by Wendy Pietz, that the Board counsel or another department attorney is formally authorized to serve as the Board's designee for purposes of Wis. Admin Code § SPS 1.08(1). Motion carried unanimously.

Document Signature Delegation

MOTION: Carrie Stempski moved, seconded by Debra Beres, to delegate authority to the Chair or chief presiding officer, or longest serving member of the Board, by order of succession, to sign documents on behalf of the Board. In order to carry out duties of the Board, the Chair, chief presiding officer, or longest serving member of the Board, has the ability to delegate this signature authority for purposes of facilitating the completion of assignments during or between meetings. The Chair, chief presiding officer, or longest serving member of the Board delegates the authority to Executive Director or designee to sign the name of any Board member on documents as necessary and appropriate. Motion carried unanimously.

Credentialing Authority Delegations

MOTION: Mark Braden moved, seconded by Eileen Donohoo, to delegate authority to the Credentialing Liaisons to make all credentialing decisions. Motion carried unanimously.

MOTION: Eileen Donohoo moved, seconded by Debra Beres, to delegate credentialing authority to DSPS for those submitted applications that meet the criteria of Rule and Statute and thereby would not need further Board or Board liaison review. Motion carried unanimously.

MOTION: Debra Beres moved, seconded by Eileen Donohoo, to delegate authority to DSPS staff to review and approve applicants with one OWI or underage drinking violation. Motion carried unanimously.

MOTION: Eileen Donohoo moved, seconded by Debra Beres, to delegate all faculty license credentialing decisions to the Board's credentialing liaison(s). Motion carried unanimously.

Monitoring Delegations

MOTION: Eileen Donohoo moved, seconded by Carrie Stempski, to affirm the Chair's appointment of Mark Braden as the Monitoring Liaison, to adopt the 'Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor; document as presented. Motion carried unanimously.

Travel Delegation

MOTION: Carrie Stempski moved, seconded by Debra Beres, to delegate authority to approve any Board Member travel to the Travel Liaison. Motion carried unanimously.

Legislative Liaison Delegation

MOTION: Leonardo Huck moved, seconded by Eileen Donohoo, to authorize the Legislative Liaison to speak to members of the Legislature on behalf of the Board. Motion carried unanimously.

8:30 A.M. PUBLIC HEARING ON CLEARINGHOUSE RULE 15-095 RELATING TO MOBILE DENTISTRY

MOTION: Eileen Donohoo moved, seconded by Debra Beres, to reject Clearinghouse comment number(s) 2c and 5c, and to accept all remaining Clearinghouse comments for Clearinghouse Rule 15-095 relating to mobile dentistry. Motion carried unanimously.

MOTION: Mark Braden moved, seconded by Debra Beres, to authorize the Chair to approve the Legislative Report and Draft for Clearinghouse Rule 15-095 relating to mobile dentistry for submission to the Governor's Office and Legislature. Motion carried unanimously.

LEGISLATIVE/ADMINISTRATIVE RULE MATTERS

Adoption of CR 15-056 Relating to Dental Hygienists Administering Nitrous Oxide

MOTION: Debra Beres moved, seconded by Carrie Stempski, to approve the Adoption Order for Clearinghouse Rule 15-056 relating to dental hygienists administering nitrous oxide. Motion carried unanimously.

Adoption of CR 15-057 Relating to Informed Consent

MOTION: Mark Braden moved, seconded by Debra Beres, to approve the Adoption Order for Clearinghouse Rule 15-057 relating to informed consent. Motion carried unanimously.

EXAMINATION MATTERS

Exam Presentation Request

MOTION: Lyndsay Knoell moved, seconded by Eileen Donohoo, to invite Dr. Jack Gerrow to make a presentation at the March 2, 2016 Dentistry Examining Board meeting. Motion carried unanimously.

CLOSED SESSION

MOTION: Mark Braden moved, seconded by Debra Beres, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Lyndsay Knoell, Chair, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Debra Beres – yes; Mark Braden – yes; Eileen Donohoo – yes; Leonardo Huck – yes; Lyndsay Knoell – yes; Wendy Pietz – yes; Carrie Stempski – yes. Motion carried unanimously.

The Board convened into Closed Session at 11:56 a.m.

RECONVENE TO OPEN SESSION

MOTION: Debra Beres moved, seconded by Eileen Donohoo, to reconvene to Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 12:12 p.m.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Lyndsay Knoell moved, seconded by Eileen Donohoo, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

DELIBERATION DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Presentation and/or Deliberation on Proposed Stipulations, Final Decisions and Orders

14 DEN 049 – Thomas Hughes, D.D.S.

MOTION: Wendy Pietz moved, seconded by Debra Beres, to **adopt** the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Thomas Hughes, D.D.S., DLSC case number 14 DEN 049. Motion carried.

(Mark Braden recused himself and left the room for deliberation and voting in the matter of Thomas Hughes, D.D.S., DLSC case number 14 DEN 049.)

14 DEN 086 – Farshad Rouhani, D.M.D.

MOTION: Debra Beres moved, seconded by Eileen Donohoo, to **adopt** the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Farshad Rouhani, D.M.D., DLSC case number 14 DEN 086. Motion carried unanimously.

Case Closures

14 DEN 037 – H.L.R.

MOTION: Eileen Donohoo moved, seconded by Wendy Pietz, to close DLSC case number 14 DEN 037, against H.L.R., for **Prosecutorial Discretion (P5)**. Motion carried unanimously.

14 DEN 060 – M.D.S.

MOTION: Eileen Donohoo moved, seconded by Debra Beres, to close DLSC case number 14 DEN 060, against M.D.S., for **No Violation**. Motion carried unanimously.

ADJOURNMENT

MOTION: Eileen Donohoo, seconded by Debra Beres, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:30 p.m.